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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,236	10/30/2003	Kengo Ochi	9976-21US (OB0049US)	3362
570. 7590 05/16/2008 PANITCH SCHWARZE BELISARIO & NADEL, LLP ONE COMMERCE SQUARE 2005 MARKET STREET, SUITE 2200 PHILADELPHIA, PA 19103				
EXAMINER HUNTSINGER, PETER K				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/699,236

Applicant(s)

OCHI, KENGO

Examiner

Peter K. Huntsinger

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/US)
- Paper No(s)/Mail Date 3/04, 12/05
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

2. Claims 5 and 19 are objected to because of the following informalities: In claims 5 and 19, line 3 should be replaced with "said discriminating information has ~~an~~ information to select an ID".
3. Claim 18 is objected to because of the following informalities: In line 2, "wherein" should be not be capitalized. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Line 3 should be replaced with "said data processing is performed by a data processing apparatus". Line 9 should be replaced with "said data processing apparatus transmits said discriminating information corresponding to the".
6. Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention. Line 10 should be replaced with "said image forming apparatus transmits said discriminating information corresponding to the".

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

8. Claims 1-21 are rejected under 35 U.S.C. 102(a) as being anticipated by Roosen '793.

Referring to **claim 1**, Roosen '793 discloses an operation mode notifying method of notifying an upper apparatus of operation modes of a data processing apparatus, comprising:

storing display control information for displaying the operation modes of said data processing apparatus (Fig. 3, page 3, paragraph 47-48, displays a symbol indicating the status of the printer);

storing discriminating information for discriminating said operation mode of said data processing apparatus (page 2, paragraph 23, information server stores status information of the printer);

transmitting said display control information and said discriminating information when said data processing apparatus received a obtaining request of the operation

modes from said upper apparatus (Fig. 3, page 3, paragraph 47-48, displays a symbol indicating the status of the printer); and

transmitting said discriminating information when said data processing apparatus received again a obtaining request of the operation modes from said upper apparatus (page 6, paragraph 109, browser asks for updated frames at predetermined intervals).

Referring to **claim 2**, Roosen '793 discloses changing said discriminating information based on said operation modes of said data processing apparatus when said obtaining request of said operation modes is received (page 6, paragraph 109, browser asks for updated frames at predetermined intervals).

Referring to **claim 3**, Roosen '793 discloses changing said discriminating information when said operation modes of said data processing apparatus are changed (page 3, paragraph 44, mode information is dynamic).

Referring to **claim 4**, Roosen '793 discloses storing a plurality of display control information, wherein each said display control information has a corresponding ID name (Fig. 3, page 3, paragraph 47-48, displays printer name).

Referring to **claim 5**, Roosen '793 discloses wherein said discriminating information has information to select an ID name assigned to said display control information (Fig. 3, page 3, paragraph 47-48, displays printer name).

Referring to **claim 6**, Roosen '793 discloses wherein said display control information includes image information (Fig. 3, page 3, paragraph 47-48, displays a symbol indicating the status of the printer), and

said data processing apparatus transmits said held display control information and said discriminating information which is formed to said upper apparatus in accordance with the obtaining request of the operation mode of said data processing apparatus from said upper apparatus, and when the obtaining request of the operation mode of said data processing apparatus is made again by said upper apparatus, transmits the discriminating information for discriminating the operation mode of said data processing apparatus and displaying said display information corresponding to a result of said discrimination by control based on said display control information received by said upper apparatus (page 6, paragraph 109, browser asks for updated frames at predetermined intervals).

Referring to **claim 7**, Roosen '793 discloses wherein:

said data processing is a data forming apparatus (printer 200 of Fig. 2c, page 1-2, paragraph 110, server resides in printer), said data processing apparatus holds discriminating information for allowing said upper apparatus to discriminate each of said available operation modes of said data processing apparatus and display control information for allowing said upper apparatus to display said operation mode on the basis of said discriminating information (page 2, paragraph 23, information server stores status information of the printer), and

said data forming apparatus transmits said discriminating information corresponding to the operation mode upon requesting and said display control information to said upper apparatus in accordance with a first obtaining request of said

operation mode from said upper apparatus (Fig. 3, page 3, paragraph 47-48, displays a symbol indicating the status of the printer);

when said discriminating information and said display control information are received, said upper apparatus holds said display control information, discriminates each of the operation modes of said data processing apparatus shown by said discriminating information by control based on said display control information, and displays contents showing the operation mode corresponding to a result of said discrimination (Fig. 3, page 3, paragraph 47-48, displays a symbol indicating the status of the printer); and

said data processing apparatus again transmits said present discriminating information to said upper apparatus in accordance with the obtaining request of said operation mode from said upper apparatus so as to display the present operation mode by the control based on said display control information held in said upper apparatus (page 6, paragraph 109, browser asks for updated frames at predetermined intervals).

Referring to **claim 8**, Roosen '793 discloses wherein said discriminating information is shown by each ID name added to each of the display information for displaying the various operation modes by images (Fig. 3, page 3, paragraph 47-48, displays printer name), and

said upper apparatus discriminates each of the display information corresponding to each of said ID names by the control based on said display control information, obtains said display information from said data processing apparatus, and displays it (Fig. 3, page 3, paragraph 47-48, displays printer name).

Referring to **claim 9**, Roosen '793 discloses wherein said upper apparatus receives and holds each of the display information corresponding to each of the operation modes prior to displaying the operation mode of said data processing apparatus (Fig. 3, page 3, paragraph 47-48, inherent work station receives status information before displaying it).

Referring to **claim 10**, Roosen '793 discloses wherein said upper apparatus holds the received discriminating information until it obtains the latest discriminating information, discriminates on the basis of said held discriminating information, and displays the operation mode corresponding to a result of said discrimination (page 6, paragraph 109, browser asks for updated frames at predetermined intervals).

Referring to **claim 11**, Roosen discloses wherein said upper apparatus compares contents of said held discriminating information with contents of the received latest discriminating information and reflects only the different contents to the held discriminating information (page 3, paragraph 44, mode information is dynamic).

Referring to **claim 12**, Roosen discloses wherein said data processing apparatus holds updating interval information for controlling an interval for obtaining said discriminating information by said upper apparatus in correspondence to each of said upper apparatuses (page 6, paragraph 109, browser asks for updated frames at predetermined intervals).

Referring to **claim 13**, Roosen discloses wherein said upper apparatus holds updating interval information in which an interval for updating said discriminating information is shown and makes the obtaining request of the discriminating information

on the basis of said updating interval information (page 6, paragraph 109, browser asks for updated frames at predetermined intervals).

Referring to **claim 14**, Roosen discloses an image forming system comprising: an upper apparatus (workstations of Fig. 2, page 1-2, paragraph 19); a transmission path to which said upper apparatus is connected, and an image forming apparatus for notifying said upper apparatus of operation modes of said image forming apparatus via said transmission path (printer 200 of Fig. 2c, page 1-2, paragraph 19), wherein

said image forming apparatus holds discriminating information for allowing said upper apparatus to discriminate each of said available operation modes and display control information for allowing said upper apparatus to display said operation mode on the basis of said discriminating information (page 2, paragraph 23, information server stores status information of the printer),

said image forming apparatus transmits said discriminating information and said display control information corresponding to the operation mode upon requesting via said transmission path in accordance with an obtaining request of said operation mode from said upper apparatus (Fig. 3, page 3, paragraph 47-48, displays a symbol indicating the status of the printer), and

if the obtaining request of said operation mode is again made by said upper apparatus, transmits said present discriminating information to said upper apparatus via said transmission path (page 6, paragraph 109, browser asks for updated frames at predetermined intervals), said upper apparatus makes the obtaining request of the operation mode of said image forming apparatus via said transmission path, when said

discriminating information and said display control information are received via said transmission path, holds said display control information, discriminates each of the operation modes of said image forming apparatus shown by said discriminating information by control based on said display control information, displays the operation mode corresponding to a result of said discrimination, and thereafter (Fig. 3, page 3, paragraph 47-48, displays a symbol indicating the status of the printer),

makes the obtaining request of the operation mode of said image forming apparatus again via said transmission path, when said present discriminating information is received from said image forming apparatus via said transmission path, discriminates each of the operation modes of said image forming apparatus shown by said present discriminating information by control based on said held display control information, and displays the operation mode corresponding to a result of said discrimination (Fig. 3, page 3, paragraph 47-48, displays a symbol indicating the status of the printer).

Referring to **claim 15**, see the rejection of claim 1 above.

Referring to **claim 16**, see the rejection of claim 2 above.

Referring to **claim 17**, see the rejection of claim 3 above.

Referring to **claim 18**, see the rejection of claim 4 above.

Referring to **claim 19**, see the rejection of claim 5 above.

Referring to **claim 20**, see the rejection of claim 6 above.

Referring to **claim 21**, Roosen '793 discloses wherein said display control information holding unit holds the display control information including image

information (Fig. 3, page 3, paragraph 47-48, displays a symbol indicating the status of the printer), and

said communicating unit transmits said display control information which is held by said display control information holding unit and said discriminating information which is formed by said discriminating information forming unit to said upper apparatus in accordance with the obtaining request of the operation mode of said data processing apparatus from said upper apparatus, and when the obtaining request of the operation mode of said data processing apparatus is made again by said upper apparatus, transmits the discriminating information for discriminating the operation mode of said data processing apparatus and displaying the display information corresponding to a result of said discrimination by the control based on said display control information received by said upper apparatus (page 6, paragraph 109, browser asks for updated frames at predetermined intervals).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (571)272-7435. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Peter K Huntsinger/
Examiner, Art Unit 2625

/Mark K Zimmerman/
Supervisory Patent Examiner, Art Unit 2625